

REMARKS

Claim Rejections

Claims 5 and 8 are rejected under 35 U.S.C. § 112, first paragraph. Claims 1 and 6-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ohuchi (U.S. 5,816,469). Claims 2-5 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ohuchi.

Drawings

Applicant proposed to amend Figure 5, as illustrated in red on the attached photocopy. In Figure 5 it is proposed to add reference number --33--. No "new matter" has been added to the original disclosure by the proposed amendments to this figure. Approval of the proposed drawing change is respectfully requested.

The Examiner has objected to the drawings under 37 C.F.R. § 1.83(a) insofar as the round-shaped and rectangular shape, referred to in claims 4 and 5, respectively, were not illustrated in the figures. Since these terms have been deleted from Applicant's new claims, it is not believed that any drawing corrections are necessary.

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, excepted for the above proposed drawings correction, Applicant must assume that the drawings are acceptable as filed.

Amendments to Specification

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies and to provide antecedent basis for reference number 33. It is believed that the foregoing amendments to the specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

New Claims

By this Amendment, Applicant has canceled claims 1-11 and has added new claims 12-20 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

It is submitted that the claimed subject matter is described in Applicant's specification in sufficient detail to enable one having ordinary skill in the art to make and use Applicant's invention without undue experimentation. It is believed that Applicant's specification discloses how to make and use the claimed invention.

The new claims are directed toward a nail cartridge of a nail gun for a nail row comprising: a plurality of parallel nail guiding-grooves (31) symmetrically located on two opposing sides of an interior thereof, each of the plurality of parallel nail guiding-grooves located on at least one of the two opposing sides having: at least one wall (33) located between adjacent nail guiding grooves of the plurality of nail guiding-grooves; a combining groove (311); and an abrasion-resistant plate (312) located in the combining groove adjacent to an adjacent wall of the at least one wall and having a rectangular cross section, wherein at least one abrasive resistant plate engaging a top surface of nail heads of the nail row.

Other embodiments of the present invention include: the at least one of the two opposing sides of the interior includes both of the two opposing sides, a pair of abrasive resistant plates engaging the top surface of the nail heads of the nail row; a positioning groove (3121) located in each combining groove on one of the at least one wall, and a positioning rib (3111) located on each abrasion-resistant plate, each positioning rib inserted into one positioning groove; each positioning groove and each positioning rib have a V-shaped cross section; the plurality of parallel nail guiding-grooves are integrally formed of an aluminum alloy; the plurality of parallel nail guiding-grooves are integrally formed of an engineering plastic material; the plurality of parallel nail guiding-grooves are integrally formed of an reinforced plastic material; each abrasion-resistant plate is a steel plate having a high strength and a high wear resistance; and each abrasion-resistant plate has a thickness that is twice a thickness of the adjacent wall of each of the at least one wall.

The cited reference to Ohuchi teaches a fastener driving machine including a magazine (2) having grooves (2d) inserted with horizontal portions (4c) of L-shaped steel guide members, and a C-shaped steel rail (10) into which heads (3b) of nails (3) are inserted.

Ohuchi does not teach an abrasion-resistant plate having a rectangular cross section; at least one abrasive resistant plate engaging a top surface of nail heads of the nail row; a pair of abrasive resistant plates engaging the top surface of the nail heads of the nail row; a positioning groove located in each combining groove on one of the at least one wall, and a positioning rib located on each abrasion-resistant plate, each positioning rib inserted into one positioning groove; each positioning groove and each positioning rib have a V-shaped cross section; nor does Ohuchi teach each abrasion-resistant plate has a thickness that is twice a thickness of the adjacent wall of each of the at least one wall.

Absent any cited reference, Applicant respectfully traverses the Examiner's assertion that the positioning groove and the positioning rib are well known in the art.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Ohuchi does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Ohuchi cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that Ohuchi does not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Ohuchi renders obvious any of Applicant's new claims under 35 U.S.C. § 103.

Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: November 15, 2004

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Application No. 10/623,492

IN THE DRAWINGS:

Please amend Figure 5 as illustrated in red on the attached photocopy.